

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America,

Plaintiff,

v.

D-1 James Letko,

Defendant.

Case No. 19-cr-20652

Honorable David M. Lawson

**Unopposed Application Seeking Entry of First Amendment to
Amended Preliminary Order of Forfeiture**

The United States applies to this Court for a First Amendment to Amended Preliminary Order of Forfeiture, and sets forth the following in support:

1. On January 10, 2023, the Court issued a Preliminary Order of Forfeiture (“Order”) ordering the forfeiture of various assets, including but not limited to the following: \$225,949.75 in funds from account number A49237943 at Northwestern Mutual, Milwaukee, WI. (ECF No. 241).

2. On June 21, 2023, the Court issued an Amended Preliminary Order of Forfeiture (“Order”) ordering the forfeiture of certain assets, including but not limited to the following: \$225,949.75 in funds from account number A49237943 at Northwestern Mutual, Milwaukee, WI, (“Northwestern Mutual Account”) and

also ordering the return of certain assets. (ECF No. 296).

3. The government has since learned that there was a clerical error in the description of the amount of the Northwestern Mutual Account. The correct amount is \$226,486.48.

4. Pursuant to Rule 36 of the Federal Rules of Criminal Procedure, “the court may at any time correct a clerical error in a judgment, order, or other part of the record, or correct an error in the record arising from oversight or omission.” Pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure, the court also retains jurisdiction to amend the existing order of forfeiture to add or further identify property to be forfeited.

5. Government counsel sent Defendant’s attorneys, Butzel Long, an email copy of this Application and the proposed Amended Order and asked if they had any objection. Butzel Long responded that they have no objection.

Pursuant to information already on the record, and Federal Rules of Criminal Procedure 32.2(e) and 36, the government respectfully requests that the Court enter the First Amendment to Amended Preliminary Order of Forfeiture being submitted concurrently with this Application.

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Respectfully submitted,

Dawn N. Ison
United States Attorney

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Dated: October 20, 2023

CERTIFICATION OF SERVICE

I hereby certify that on October 20, 2023, the foregoing was electronically filed using the ECF system which will send notification of such filing to all ECF participants.

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